

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(Crl.).No. 105 of 2007(S)

PETITIONER:

JIMMY ISSAC, S/O. P.J.ISSAC, AGED 41,
3/270, VALAYIL VEEDU, EZHUPUNNA SOUTH P.O.

BY ADV. SRI.BECHU KURIAN THOMAS

RESPONDENTS:

1. THE COMMISSIONER OF POLICE,
THIRUVANANTHAPURAM.
2. SUB INSPECTOR OF POLICE,
MUSEUM POLICE STATION, THIRUVANANTHAPURAM.
3. MR. K.H.SAMSON,
KARUMANCHERIL HOUSE, 11/1391, NANTHANCOD,
HOUSE NO.83, BAINS COMPOUND, THIRUVANANTHAPURAM-3.
4. MRS. TEJA SAMSON,
KARUMANCHERIL HOUSE, 11/1391, NANTHANCOD,
HOUSE NO.83, BAINS COMPOUND, THIRUVANANTHAPURAM-3.

BY ADDL.D.G.P. SRI.V.K.MOHANAN.

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 23/05/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(CrI.)No.105 of 2007

Dated 23rd May, 2007.

J U D G M E N T

Kurian Joseph, J.

The prayer is for a direction to the respondents 1 and 2 to produce Master Anand Jimmy and Master Preetam Jimmy from the alleged illegal custody of respondents 3 and 4, who are maternal grand parents. It is fairly clear from the pleadings that there is difference of opinion between the petitioner, the father of the children mentioned above and his wife Sonia, and at her instruction only, the children are with her parents. Apparently, the petitioner has to move the Family Court for resolving such a family dispute. The interim custody of the children also is a related issue. Therefore, we dismiss this writ petition, without prejudice to the liberty to the petitioner to move the Family Court of competent jurisdiction.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

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OP NO.

2

**KURIAN JOSEPH &
T.R.RAMACHANDRAN NAIR, JJ**

L.A.A. NO. OF 2004

J U D G M E N T

Dated 23rd May, 2007.